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**From:** Wong, Richard <FTA>  
**To:** 'hotsuji@clearwire.com'  
**CC:** Breeden, Kathy <FTA>; Ingram, Arlene <FTA>; Rogers, Leslie <FTA>; Marler, Renee <FTA>;  
Pahner, Steve <FTA>; Mokey, Walt <FTA>; VanWyk, Christopher <FTA>  
**Sent:** 11/8/2007 10:53:17 AM  
**Subject:** RE: Contact Us Submission: LegislationandRegulations - Honolulu Project

"Fixed Guideway" is defined at 49 USC 5302(a)(4) as:

(4) Fixed guideway.--The term ``fixed guideway'' means a mass transportation facility--  
(A) using and occupying a separate right-of-way or rail for the exclusive use of mass transportation and other high occupancy vehicles; or  
(B) using a fixed catenary system and a right-of-way usable by other forms of transportation.

The statute is neutral with regard to the type of vehicle used, its carrying capacity, or the station platform size.

Regards,

Richard Wong  
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-----Original Message-----

From: Ingram, Arlene <FTA>  
Sent: Thursday, November 08, 2007 8:15 AM  
To: Wong, Richard <FTA>  
Cc: Breeden, Kathy <FTA>  
Subject: FW: Contact Us Submission: LegislationandRegulations

For your response

-----Original Message-----

From: hotsuji@clearwire.com [mailto:hotsuji@clearwire.com]  
Sent: Wednesday, November 07, 2007 8:05 PM  
To: Breeden, Kathy <FTA>; Ingram, Arlene <FTA>  
Subject: Contact Us Submission: LegislationandRegulations

Name = Harry H, Otsuji  
Organization = APTS Phileas Hawaii  
Email+Address = hotsuji@clearwire.com  
Phone+Number = 808-551-4500  
Category = LegislationandRegulations  
Comments = To whom it may concern:

1. Will a magnetic guided rubber-tired tram qualify in the development of a fixed guide-way mass transit program for Honolulu?

2. Is there a minimum sized

vehicle, measured by the number of passengers, required to qualify for a fixed guideway project?

3. The APTS -Phileas vehicle measures 86 feet in length, and is capable of carrying 186 seated/disabled/standee passengers. Two of these vehicles, utilizing all-wheel steering can easily be accommodated at a station measuring up to 200 feet. Will this technology fit within the FTA regulations for a fixed guide-way mass transit project?

4. The Honolulu City administration has taken the position that a single vehicle (car) must be able to carry 300 passengers, to qualify for a fixed guide-way project. Is this an inviolable specification?

5. If the APT-Phileas rubber-tired magnetic-guided tram would qualify under the FTA regulations, what must be done to get it approved by the FTA as an acceptable technology?

With long-term budget constraints looming for the future at all levels of government, the installation of an APT-Phileas type technology, which can be implemented for no more than 30% of the cost of the proposed light rail project, in less than 20% of the time should become an acceptable alternative, especially for small communities of less than one million population.

Your timely response is appreciated.

Faithfully yours,

/s/ Harry H.Otsuji